

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 03-1038

September Term, 2003

Filed On: July 22, 2004 [837775]

Northern California Power Agency,  
Petitioner

v.

Nuclear Regulatory Commission and United States of  
America,  
Respondents

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The City of Santa Clara, California and Pacific Gas  
and Electric Company,  
Intervenors

BEFORE: Rogers, Tatel, and Roberts, Circuit Judges

## ORDER

Upon consideration of the motion to dismiss and to vacate, and the opposition thereto; and petitioner's letter attaching the July 7, 2004 order of the Nuclear Regulatory Commission, it is

**ORDERED**, that the motion to vacate be referred to a panel for oral argument. The parties are directed to address in their briefs the issues presented in the motion to vacate rather than incorporate those arguments by reference. It is

**FURTHER ORDERED** that the following briefing schedule and format will apply in this case:

Brief and Appendix for Petitioner  
(not to exceed 7500 words)

August 6, 2004

Brief for Respondent  
(not to exceed 7500 words)

August 20, 2004

Brief for Intervenor in support of Respondent  
(not to exceed 5000 words)

September 3, 2004

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Reply brief for Petitioner  
(not to exceed 3750 words)

September 10, 2004

The parties will be notified by separate order of the oral argument date and composition of the merits panel. It is

**FURTHER ORDERED** that the request for dismissal be dismissed at moot.

**Per Curiam**